

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Magdalena Azmitia	Team: Squad #3	CCRB Case #: 201901349	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 01/15/2019 12:40 PM	Location of Incident: Inside the 19th Precinct stationhouse	Precinct: 19	18 Mo. SOL 7/15/2020	EO SOL 3/1/2021	
Date/Time CV Reported Wed, 02/13/2019 12:03 PM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Wed, 02/13/2019 12:03 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. LT Kevon Sample	00000	935679	019 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Craig Littlefield	26978	965272	019 PCT

Officer(s)	Allegation	Investigator Recommendation
A.LT Kevon Sample	Off. Language: Lieutenant Kevon Sample made remarks to § 87(2)(b) based upon race.	
B.LT Kevon Sample	Off. Language: Lieutenant Kevon Sample made remarks to § 87(2)(b) based upon perceived mental health.	
C.LT Kevon Sample	Abuse: Lieutenant Kevon Sample threatened to remove § 87(2)(b) to the hospital.	

Case Summary

On February 13, 2019, § 87(2)(b) filed this complaint in person at the CCRB.

On January 15, 2019, at approximately 12:30 PM, § 87(2)(b) went to the 19th Precinct stationhouse to meet with Lt. Kevon Sample regarding a complaint he had filed about officers at the 19th Precinct as well as ongoing conflict with members of the community using racial epithets against him. During the conversation, Lt. Sample allegedly told § 87(2)(b) "Someone called you nigger? You're the nigger. You're the nigger," (**Allegation A, Offensive Language:** § 87(2)(g) Lt. Sample then stated that any problems with the community were § 87(2)(b)'s fault, and that § 87(2)(b) was "crazy," which he could tell by § 87(2)(b)'s face and what he was wearing, and that he should have called the ambulance the moment he saw § 87(2)(b) (**Allegation B, Offensive Language:** § 87(2)(g) Lt. § 87(2)(b) explained that he knew § 87(2)(b) was crazy and was going to investigate the matter, and if his people found out that § 87(2)(b) was the problem, then Lt. Sample would put § 87(2)(b) into the hospital (**Allegation C, Abuse of Authority:** § 87(2)(g)

No video footage of this incident was recovered.

Findings and Recommendations

Allegation (A) Offensive Language: Lieutenant Kevon Sample made remarks to § 87(2)(b) based upon race.

Allegation (B) Lieutenant Kevon Sample made remarks to § 87(2)(b) based upon perceived mental health.

Allegation (C) Abuse of Authority: Lieutenant Kevon Sample threatened to remove § 87(2)(b) to the hospital.

§ 87(2)(b) testified to the CCRB that he had made an appointment to meet with Lt. Sample regarding complaints against officers in the 19th Precinct [BR 02]. During their meeting, § 87(2)(b) complained that individuals in his neighborhood were using racial slurs against him and his family and stated that he was told he could speak to neighborhood coordination officers about the problem. Lt. Sample grew angry, stating, "Someone called you nigger? You're the nigger. You're the nigger." § 87(2)(b) estimated that Lt. Sample used the word "nigger" approximately five times. Lt. Sample stated that § 87(2)(b) was the problem and that he was "crazy." Lt. Sample stated that he should have called the ambulance the moment he saw § 87(2)(b). Lt. Sample also stated that § 87(2)(b) was going to investigate the matter, and if his people found out that § 87(2)(b) was the problem, then he would put § 87(2)(b) into the hospital. § 87(2)(b) noted that a white male officer who was over 6'0" tall, blond, and under 30 years old was standing at the command desk and listening to the conversation.

Lt. Sample testified to the CCRB that § 87(2)(b)'s speech during their meeting was incoherent and irrational, that § 87(2)(b) appeared paranoid, claiming that people in his neighborhood were "out to get him," and that there was a conspiracy to evict his family from his apartment [BR 03]. Lt. Sample did not recall whether § 87(2)(b) complained about individuals using racial slurs towards him. Lt. Sample did not tell § 87(2)(b) "You're the nigger," or use the word "nigger" while speaking with § 87(2)(b) nor did he make any comments about § 87(2)(b)'s race. Because of § 87(2)(b)'s behavior, Lt. Sample asked § 87(2)(b) if he was seeing a doctor or psychiatrist or if he needed to see someone. Lt. Sample did not say that § 87(2)(b) looked "crazy." Lt. Sample did not tell § 87(2)(b) that he would be taken to the hospital and noted that nothing about § 87(2)(b)'s behavior suggested that he was a potential harm to himself or others.

Lt. Sample asked § 87(2)(b) if he wanted to go to the hospital and said that he would call an ambulance if that was what § 87(2)(b) wanted. Lt. Sample did not tell § 87(2)(b) that he was going to be taken to the hospital and did not tell § 87(2)(b) that he would be put in the hospital if it was determined that he was the source of the problems in his neighborhood. Lt. Sample told § 87(2)(b) that if officers determined that § 87(2)(b) needed help regarding his mental health, it was possible that he could be removed to the hospital. Lt. Sample noted that he did not feel it was necessary to call an ambulance for § 87(2)(b) at the time.

PO Craig Littlefield, who was the telephone switchboard operator on the date of the incident, matched § 87(2)(b)'s description of the witness officer at the command desk [NYPD 01]. PO Littlefield testified that he was on his meal break at the time of the incident and had no recollection of witnessing Lt. Sample's conversation with § 87(2)(b) [BR 04].

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party [BR 05].
 - § 87(2)(g)
- Lt. Sample has been a member of service for 15 years and has been a subject of 10 other CCRB complaints with 24 allegations, two of which were substantiated.
 - Case 201602595 involved a substantiated allegation of a vehicle stop. The Board recommended charges. The NYPD disposition is still pending.
 - Case 201705711 involved a substantiated allegation of force. The Board recommended charges and the NYPD has not yet imposed discipline.

Mediation, Civil and Criminal Histories

- § 87(2)(g)
- On July 18, 2019, a request to determine if a Notice of Claim was filed was submitted; confirmation from the Office of the New York City Comptroller will be forwarded upon receipt [BR 07].
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 3

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date